



LEGISLATIVE BRANCH ▪ CITY OF BINGHAMTON

Teri Rennia, City Council President
Angela Holmes, City Clerk

CITY COUNCIL WORK SESSION AGENDA City Council Work Room, 38 Hawley Street, Binghamton Monday February 3, 2014

The Work Session begins at 6:00pm. Times for RL(s)/Topics are approximate only and items may be considered earlier or later.

Time	Committee	Chair	RL(s)/Topic	Pages	Presenter
6:00pm	Finance	Berg	RL 14-8: Approval of Payment in Lieu of Taxes (PILOT) Agreement for Chenango Place, LLC	-----	Ron Kutas, Lillian Levy
6:30pm	Finance	Berg	RL 14-13: Authorizing Various Corrections to the 2014 Tax Roll	14-22	Pauline Penrose
6:45pm	PW/Parks	Motsavage	RL 14-14: Agreement with NYSDOT for Design Work for East Clinton Street Bridge Rehabilitation Project	23-24	Philip T. Krey
	PW/Parks	Motsavage	RL 14-15: Agreement with NYSDOT for Design Work for Front Street Pavement Restoration Project	25-26	
7:00pm	-----	-----	Discussion: Amendment of Lease with United Way of Broome County for the Lee Barta Community Center	32-35	Kenneth J. Frank
7:15pm	MPA	Motsavage	RL 14-11: Free Parking for 2014 Greater Binghamton Bridge Run	1-2	Angela Holmes
7:30pm	MPA	Motsavage	RL 13-126: Amending § 364-4 of the Code, Regarding Shopping Carts Found in Public Places	-----	Councilman Berg
	-----	-----	Discussion: Traffic Signal Removal Study	-----	
	-----	-----	Discussion: Review of Traffic Board Meeting Minutes & Decisions	29-31	
7:45pm	-----	-----	Discussion: Establishing a Public Art Commission	-----	Councilman Motsavage
8:00pm	Finance	Berg	RL 14-12: Authorizing Various Corrections to the 2014 Tax Roll	3-13	-----
8:15pm	-----	-----	RL 14-16: Amending Section 400-24 of the Code, Maintenance of Traffic Code	27-28	Council President Rennia
	-----	-----	Discussion: Review Schedule for the Adoption of the Comprehensive Plan & Form-Based Code	-----	
	-----	-----	Discussion: Review of Committee Reports and Pending Legislation	-----	

COMMITTEE REPORTS

Employees Committee: Berg (Chair), Webb, Papastrat

1. Potential amendments to residency requirements for City of Binghamton employees.



LEGISLATIVE BRANCH ▪ CITY OF BINGHAMTON

Teri Rennia, City Council President

Angela Holmes, City Clerk

-
2. RL 13-225, "A Resolution amending the PBA Agreement from 2012-2014 regarding the salary grid for police officers hired after January 1, 2013".

Municipal & Public Affairs Committee: Motsavage (Chair), Webb, Matzo

1. Potential amendments to the City of Binghamton's noise ordinance regulations.
2. Potential amendments to the City of Binghamton's license regulations concerning Peddlers, Stationary Pushcart Vendors, and Charitable Solicitors.

Public Works/Parks & Recreation Committee: Motsavage (Chair), Berg, Mihalko

Review the Traffic Signal Removal Study.



Legislative Branch

RL Number:

14-11

Date Submitted:

1/28/2014

City Clerk, City Hall, Binghamton, NY 13901 607-772-7005

REQUEST FOR LEGISLATION

Requests for Legislation (RLs) may be submitted to the City Clerk's Office for consideration at City Council Work Sessions. RLs generated from within City Hall departments must be submitted to the Mayor, Comptroller and Corporation Counsel for review before submission. RLs generated by citizens may be submitted directly to the City Clerk's Office.

Applicant Information

Request submitted by: Angela Holmes

Title/Department: City Clerk

Contact Information: (607) 772-7005, clerk@cityofbinghamton.com

RL Information

Proposed Title: A Resolution authorizing free parking for the 2014 Greater Binghamton Bridge Run Half-Marathon and 5k

Suggested Content: See attached.

Additional Information

Does this RL concern grant funding? Yes ☐ No ☒

If 'Yes', is the required RL Grant Worksheet attached? Yes ☐ No ☒

Is additional information related to the RL attached? Yes ☒ No ☐

Is RL related to previously adopted legislation? Yes ☐ No ☐

If 'Yes', please provide Permanent Ordinance/Resolution/Local Law number(s): R13-20

OFFICE USE ONLY

Mayor: _____

Comptroller: _____

Corporation Counsel: _____

Finance ☐ Planning ☐ MPA ☒ PW/Parks ☐ Employees ☐ Rules/Special Studies ☐



**REQUEST FOR LEGISLATION
TO
THE CITY COUNCIL OF THE CITY OF BINGHAMTON**

Respectfully submitted by:

Judi Hess

Manager of Tourism & Special Events

The Greater Binghamton Chamber of Commerce, Inc.

PO Box 995

Binghamton, NY 13902-0995

(607) 772-8860

SUGGESTED TITLE:

Ordinance Authorizing Free Parking for the 2014 Greater Binghamton Bridge Run Half-Marathon & 5K.

PURPOSE OF LEGISLATION:

To provide an incentive and encourage people to attend and participate in The Greater Binghamton area's only Half-Marathon and a 5K race option. The 2014 Greater Binghamton Bridge Run Half-Marathon & 5K Race will be the 4th Annual race presented by the Greater Binghamton Chamber.

PURPOSE OF THE GREATER BINGHAMTON BRIDGE RUN HALF-MARATHON & 5K:

To encourage a healthy lifestyle for residents of the Greater Binghamton Area.

To encourage local residents to participate in the event.

To bring out of town competitors into the community and to foster a positive economic impact for local businesses.

DATE OF THE GREATER BINGHAMTON BRIDGE RUN HALF-MARATHON & 5K:

Saturday, May 3, 2014 (Expo & Registration) - 9:00 am - 5:00 pm

Sunday, May 4, 2014 - 7:30 am - 12:00 noon

SUGGESTED CONTENT:

That it hereby authorized that free parking shall be provided at all municipal parking ramps on the weekend of the 2014 Greater Binghamton Bridge Run Half-Marathon & 5K to be held on May 3-4, 2014.

This ordinance shall take effect immediately.



Legislative Branch

RL Number:

14-12

Date Submitted:

1/29/14

City Clerk, City Hall, Binghamton, NY 13901 607-772-7005

REQUEST FOR LEGISLATION

Requests for Legislation (RLs) may be submitted to the City Clerk's Office for consideration at City Council Work Sessions. RLs generated from within City Hall departments must be submitted to the Mayor, Comptroller and Corporation Counsel for review before submission. RLs generated by citizens may be submitted directly to the City Clerk's Office.

Applicant Information

Request submitted by: Scott J. Snyder

Title/Department: Assessor/Assessment Department

Contact Information: (607)772-7002

RL Information

Proposed Title: Request to amend the 2014 Tax Roll to cancel taxes for various property purchased by New York State which is wholly exempt.

Suggested Content: Cancel tax on five properties (157, 159, 161, 163, & 165 Prospect Street)

SEE ATTACHED

Additional Information

Does this RL concern grant funding? Yes ☐ No ☒

If 'Yes', is the required RL Grant Worksheet attached? Yes ☐ No ☒

Is additional information related to the RL attached? Yes ☒ No ☐

Is RL related to previously adopted legislation? Yes ☐ No ☒

If 'Yes', please provide Permanent Ordinance/Resolution/Local Law number(s): _____

OFFICE USE ONLY	
Mayor:	<u>[Signature]</u>
Comptroller:	<u>[Signature]</u>
Corporation Counsel:	<u>[Signature]</u>
Finance <input checked="" type="checkbox"/>	Planning <input type="checkbox"/> MPA <input type="checkbox"/> PW/Parks <input type="checkbox"/> Employees <input type="checkbox"/> Rules/Special Studies <input type="checkbox"/>



NEW YORK STATE DEPARTMENT OF TAXATION AND FINANCE
OFFICE OF REAL PROPERTY TAX SERVICES

RP-554 (9/04)

APPLICATION FOR CORRECTED TAX ROLL
FOR THE YEAR 20 14

Part 1: To be completed in duplicate by Applicant. APPLICANT MUST SUBMIT BOTH COPIES TO COUNTY DIRECTOR OF REAL PROPERTY TAX SERVICES. (In Nassau and Tompkins Counties, submit to Chief Assessing Officer). NOTE: To be used only prior to expiration of warrant for collection. For wholly exempt parcel, attach statement signed by assessor or majority of board of assessors substantiating that assessor(s) have obtained proof that parcel should have been granted tax exempt status on tax roll.

Lucik Frank Jr & Robert F

1a. Name of Owner

66 Dickinson Street

Binghamton NY 13905

1b. Mailing Address

144.62-1-15

Day()

Evening ()

2. Telephone Number

157 Prospect St

3. Parcel Location (if different than 1b.)

4. Description of real property as shown on tax roll or tax bill (Include tax map designation)

5. Account No. 00000119970

6. Amount of taxes currently billed \$32.12

7. I hereby request a correction of tax levied by City of Binghamton
(county/city/school district; town in Westchester County; non-assessing unit village)

for the following reasons (use additional sheets if necessary): Parcel is now owned by State of New York - wholly
exempt - need to cancel tax

01-17-14

Date

Signature of Applicant

PART II: For use by COUNTY DIRECTOR: Attach written report (including documentation of error in essential fact) and recommendation. Indicate type of error and paragraph of subdivision 2, 3 or 7 of Section 550 under which error falls.

Date application received: 1-17-14

Period of warrant for collection of taxes: 1-1-14

Last day for collection of taxes without interest:

Recommendation: ☒ Approve application* ☐ Deny Application

1-17-14

Date

Signature of County Director

*☐ If box is checked, this copy is for assessor and board of assessment review of city/town/village of _____
which are to consider attached report and recommendation as equivalent to petition filed pursuant to section 553.

PART III: For use by TAX LEVYING BODY or OFFICIAL DESIGNATED BY RESOLUTION _____:
(Insert Number or Date)

APPLICATION APPROVED

Amount of taxes currently billed: \$32.12

Notice of approval mailed to applicant on (enter date): _____

Corrected tax: \$ _____

Order transmitted to collecting officer on (enter date): _____

APPLICATION DENIED

Reason: _____

Seal of Office

Date

Signature of Chief Executive Officer
or Official Designated by Resolution

Part IV. For use by COLLECTING OFFICER:

Payment may be made without interest and penalties ONLY if (1) the application has been filed with the County Director during the period when taxes may be paid without interest (see "Date application received" in Part II of this form) AND (2) the corrected tax is paid within eight days of the date on which the notice of approval is mailed to the applicant (see Part III of this form). If either of these conditions is not satisfied, interest and/or penalties must be paid on the corrected tax.

Order from tax levying body received:

Corrected tax due: \$ _____

_____ Date

Interest and penalties (if applicable): \$ _____

Total corrected tax due: \$ _____

Tax roll corrected:

_____ Date

Tax bill corrected:

_____ Date

Application and Order annexed to tax roll:

_____ Date

Payment of corrected tax received:

_____ Date

_____ Date

_____ Signature of Collecting Officer



NEW YORK STATE DEPARTMENT OF TAXATION AND FINANCE
OFFICE OF REAL PROPERTY TAX SERVICES

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Lucik Frank Jr & Robert F

1a. Name of Owner

66 Dickinson Street

Binghamton NY 13905

1b. Mailing Address

144.62-1-14

Day()

Evening ()

2. Telephone Number

159 Prospect St

3. Parcel Location (if different than 1b.)

4. Description of real property as shown on tax roll or tax bill (Include tax map designation)

5. Account No. 00000119980

6. Amount of taxes currently billed \$2,312.89

7. I hereby request a correction of tax levied by City of Binghamton

(county/city/school district; town in Westchester County; non-assessing unit village)

for the following reasons (use additional sheets if necessary): Parcel is now owned by State of New York - wholly exempt - need to cancel tax

01-17-14

Date

Signature of Applicant

PART II: For use by COUNTY DIRECTOR: Attach written report (including documentation of error in essential fact) and recommendation. Indicate type of error and paragraph of subdivision 2, 3 or 7 of Section 550 under which error falls.

Date application received: 1-17-14

Period of warrant for collection of taxes: 1-1-14

Last day for collection of taxes without interest:

Recommendation: ☒ Approve application* ☐ Deny Application

1-17-14
Date

Signature of County Director

*☐ If box is checked, this copy is for assessor and board of assessment review of city/town/village of _____ which are to consider attached report and recommendation as equivalent to petition filed pursuant to section 553.

PART III: For use by TAX LEVYING BODY or OFFICIAL DESIGNATED BY RESOLUTION _____:
(Insert Number or Date)

APPLICATION APPROVED

Amount of taxes currently billed: \$2,312.89

Notice of approval mailed to applicant on (enter date): _____

Corrected tax: \$ _____

Order transmitted to collecting officer on (enter date): _____

APPLICATION DENIED

Reason: _____

Seal of Office

Date

Signature of Chief Executive Officer
or Official Designated by Resolution

Part IV. For use by COLLECTING OFFICER:

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Order from tax levying body received:

Corrected tax due: \$ _____

_____ Date

Interest and penalties (if applicable): \$ _____

Total corrected tax due: \$ _____

Tax roll corrected:

_____ Date

Tax bill corrected:

_____ Date

Application and Order annexed to tax roll:

_____ Date

Payment of corrected tax received:

_____ Date

_____ Date

_____ Signature of Collecting Officer

NEW YORK STATE DEPARTMENT OF TAXATION AND FINANCE
OFFICE OF REAL PROPERTY TAX SERVICESAPPLICATION FOR CORRECTED TAX ROLL
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Tarr Donald W & Jean M

1a. Name of Owner

Day()

Evening ()

2. Telephone Number

161 Prospect Street

Binghamton NY 13905

1b. Mailing Address

3. Parcel Location (if different than 1b.)

144.62-1-13

4. Description of real property as shown on tax roll or tax bill (Include tax map designation)

5. Account No. 00000119990

6. Amount of taxes currently billed \$2,377.13

7. I hereby request a correction of tax levied by City of Binghamton
(county/city/school district; town in Westchester County; non-assessing unit village)for the following reasons (use additional sheets if necessary): Parcel is now owned by State of New York - wholly exempt - need to cancel tax

01-17-14

Date

Signature of Applicant

PART II: For use by COUNTY DIRECTOR: Attach written report (including documentation of error in essential fact) and recommendation. Indicate type of error and paragraph of subdivision 2, 3 or 7 of Section 550 under which error falls.

Date application received: 1-17-14Period of warrant for collection of taxes: 1-14

Last day for collection of taxes without interest: _____

Recommendation:

☒ Approve application*☐ Deny Application1-17-14

Date

Signature of County Director

*☐ If box is checked, this copy is for assessor and board of assessment review of city/town/village of _____ which are to consider attached report and recommendation as equivalent to petition filed pursuant to section 553.

PART III: For use by TAX LEVYING BODY or OFFICIAL DESIGNATED BY RESOLUTION _____:
(Insert Number or Date)

APPLICATION APPROVEDAmount of taxes currently billed: \$ \$2,377.13

Notice of approval mailed to applicant on (enter date): _____

Corrected tax: \$ _____

Order transmitted to collecting officer on (enter date): _____

APPLICATION DENIED

Reason: _____

Seal of Office

Date

Signature of Chief Executive Officer
or Official Designated by Resolution

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Order from tax levying body received:

Corrected tax due: \$ _____

_____ Date

Interest and penalties (if applicable): \$ _____

Total corrected tax due: \$ _____

Tax roll corrected:

_____ Date

Tax bill corrected:

_____ Date

Application and Order annexed to tax roll:

_____ Date

Payment of corrected tax received:

_____ Date

_____ Date

_____ Signature of Collecting Officer



NEW YORK STATE DEPARTMENT OF TAXATION AND FINANCE
OFFICE OF REAL PROPERTY TAX SERVICES

RP-554 (9/04)

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Klodowski Rose & Urdanick Helen

1a. Name of Owner

135 Virginia Ave

Johnson City NY 13790

1b. Mailing Address

144.62-1-12

Day()

Evening ()

2. Telephone Number

163 Prospect St

3. Parcel Location (if different than 1b.)

4. Description of real property as shown on tax roll or tax bill (Include tax map designation)

5. Account No. 00000120000

6. Amount of taxes currently billed \$2,634.12

7. I hereby request a correction of tax levied by City of Binghamton

(county/city/school district; town in Westchester County; non-assessing unit village)

for the following reasons (use additional sheets if necessary): Parcel is now owned by State of New York - wholly exempt - need to cancel tax

01-17-14

Date

Signature of Applicant

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Date application received: 1-17-14

Period of warrant for collection of taxes: 1-1-14

Last day for collection of taxes without interest:

Recommendation:

☒ Approve application*

☐ Deny Application

1-17-14
Date

Signature of County Director

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PART III: For use by TAX LEVYING BODY or OFFICIAL DESIGNATED BY RESOLUTION _____:
(Insert Number or Date)

APPLICATION APPROVED

Amount of taxes currently billed: \$2,634.12

Notice of approval mailed to applicant on (enter date): _____

Corrected tax: \$ _____

Order transmitted to collecting officer on (enter date): _____

APPLICATION DENIED

Reason: _____

Seal of Office

Date

Signature of Chief Executive Officer
or Official Designated by Resolution

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Order from tax levying body received:

Corrected tax due: \$ _____

_____ Date

Interest and penalties (if applicable): \$ _____

Total corrected tax due: \$ _____

Tax roll corrected:

_____ Date

Tax bill corrected:

_____ Date

Application and Order annexed to tax roll:

_____ Date

Payment of corrected tax received:

_____ Date

_____ Date

_____ Signature of Collecting Officer



NEW YORK STATE DEPARTMENT OF TAXATION AND FINANCE
OFFICE OF REAL PROPERTY TAX SERVICES

RP-554 (9/04)

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FOR THE YEAR 20 14

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McGovern Philip & Rose Mary

1a. Name of Owner

240 Jeffrey Dr

Binghamton NY 13901

1b. Mailing Address

144.62-1-11

Day()

Evening ()

2. Telephone Number

165 Prospect St

3. Parcel Location (if different than 1b.)

4. Description of real property as shown on tax roll or tax bill (Include tax map designation)

5. Account No. 00000120010

6. Amount of taxes currently billed \$1,911.35

7. I hereby request a correction of tax levied by City of Binghamton

(county/city/school district; town in Westchester County; non-assessing unit village)

for the following reasons (use additional sheets if necessary): Parcel is now owned by State of New York - wholly exempt - need to cancel tax

01-17-14

Date

Susan M. Pugh
Signature of Applicant

PART II: For use by COUNTY DIRECTOR: Attach written report (including documentation of error in essential fact) and recommendation. Indicate type of error and paragraph of subdivision 2, 3 or 7 of Section 550 under which error falls.

Date application received: 1-17-14

Period of warrant for collection of taxes: 1-1-14

Last day for collection of taxes without interest: _____

Recommendation:



Approve application*



Deny Application

1-17-14

Date

Susan M. Pugh
Signature of County Director

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PART III: For use by TAX LEVYING BODY or OFFICIAL DESIGNATED BY RESOLUTION _____ :
(Insert Number or Date)

APPLICATION APPROVED

Amount of taxes currently billed: \$1,911.35

Notice of approval mailed to applicant on (enter date): _____

Corrected tax: \$ _____

Order transmitted to collecting officer on (enter date): _____

APPLICATION DENIED

Reason: _____

Seal of Office

Date

Signature of Chief Executive Officer
or Official Designated by Resolution

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Order from tax levying body received:

Corrected tax due: \$ _____

Interest and penalties (if applicable): \$ _____

Total corrected tax due: \$ _____

Date

Tax roll corrected:

Date

Tax bill corrected:

Date

Application and Order annexed to tax roll:

Date

Payment of corrected tax received:

Date

Date

Signature of Collecting Officer



Legislative Branch

RL Number:

14-13

Date Submitted:

1/29/14

City Clerk, City Hall, Binghamton, NY 13901 607-772-7005

REQUEST FOR LEGISLATION

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Applicant Information

Request submitted by: Treasurer

Title/Department: Treasurer

Contact Information: Pauline Penrose

RL Information

Proposed Title: Blanket RL for corrections to the 2014 Tax Roll

Suggested Content: Approving garbage violations that rolled to 2014 that were waived after they rolled. See Attached supporting documents

Additional Information

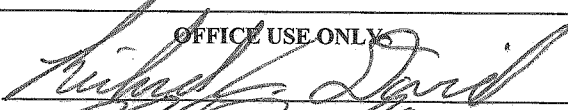


Does this RL concern grant funding? Yes ☐ No ☒

If 'Yes', is the required RL Grant Worksheet attached? Yes ☐ No ☐

Is additional information related to the RL attached? Yes ☐ No ☐

Is RL related to previously adopted legislation? Yes ☐ No ☒

If 'Yes', please provide Permanent Ordinance/Resolution/Local Law number(s): _____

OFFICE USE ONLY	
Mayor:	
Comptroller:	
Corporation Counsel:	
Finance <input type="checkbox"/>	Planning <input type="checkbox"/> MPA <input type="checkbox"/> PW/Parks <input type="checkbox"/> Employees <input type="checkbox"/> Rules/Special Studies <input type="checkbox"/>



NEW YORK STATE DEPARTMENT OF TAXATION AND FINANCE
OFFICE OF REAL PROPERTY TAX SERVICES

RP-554 (9/04)

APPLICATION FOR CORRECTED TAX ROLL
FOR THE YEAR 20 14

Part 1: To be completed in duplicate by Applicant. APPLICANT MUST SUBMIT BOTH COPIES TO COUNTY DIRECTOR OF REAL PROPERTY TAX SERVICES. (In Nassau and Tompkins Counties, submit to Chief Assessing Officer). NOTE: To be used only prior to expiration of warrant for collection. For wholly exempt parcel, attach statement signed by assessor or majority of board of assessors substantiating that assessor(s) have obtained proof that parcel should have been granted tax exempt status on tax roll.

Anh The Ly
1a. Name of Owner
56 North Street
Binghamton, NY 13905
1b. Mailing Address
Day (607) 725-8340 Evening ()
2. Telephone Number
510 Chenango St.
Binghamton, NY 13901
3. Parcel Location (if different than 1b.)

144.51-3-55
4. Description of real property as shown on tax roll or tax bill (Include tax map designation)
5. Account No. 00001304270 6. Amount of taxes currently billed \$1,006.44
7. I hereby request a correction of tax levied by City of Binghamton
(county/city/school district; town in Westchester County; non-assessing unit village)

for the following reasons (use additional sheets if necessary): \$501.00 Property Clean-up rolled
Waived After Rolling
1/14/14 Date
Pauline Penrose Signature of Applicant

PART II: For use by COUNTY DIRECTOR: Attach written report (including documentation of error in essential fact) and recommendation. Indicate type of error and paragraph of subdivision 2, 3 or 7 of Section 550 under which error falls.

Date application received: 1-16-14 Period of warrant for collection of taxes: 1-1-14
Last day for collection of taxes without interest: _____

Recommendation: ☒ Approve application* ☐ Deny Application

1-17-14 Date
Swann M. P. [Signature] Signature of County Director

*☐ If box is checked, this copy is for assessor and board of assessment review of city/town/village of _____ which are to consider attached report and recommendation as equivalent to petition filed pursuant to section 553.

PART III: For use by TAX LEVYING BODY or OFFICIAL DESIGNATED BY RESOLUTION _____:
(Insert Number or Date)

____ APPLICATION APPROVED Amount of taxes currently billed: \$ _____
Notice of approval mailed to applicant on (enter date): _____
Order transmitted to collecting officer on (enter date): _____
____ APPLICATION DENIED Reason: _____

Seal of Office

Date

Signature of Chief Executive Officer
or Official Designated by Resolution

01/24/2014 15:31
papenrose

City of Binghamton
GENERAL BILLING INVOICE INQUIRY

PG 1
gbinvinq

Year/per	2013	2	FEB	Total Invoice	.00
Customer		398	MORELL, BRUCE		
AR code	CU	PROP	CLNUP	Discount pct	.00
Invoice		6056		Department	
Inv date	02/11/2013			Parcel	144.51-3-55
Cust. PO				Contract	

Ln	Desc	Billed	Adjusted	Paid	Due
1	ADMIN	75.00	-75.00	.00	.00
2	CLEANUP	45.00	-45.00	.00	.00
3	CLEANUP	66.00	-66.00	.00	.00
4	CLEANUP	115.00	-115.00	.00	.00
5	CLEANUP	100.00	-100.00	.00	.00
	Totals	401.00	-401.00	.00	.00

** END OF REPORT - Generated by Pauline A Penrose **



NEW YORK STATE DEPARTMENT OF TAXATION AND FINANCE
OFFICE OF REAL PROPERTY TAX SERVICES

RP-554 (9/04)

APPLICATION FOR CORRECTED TAX ROLL
FOR THE YEAR 20 14

Part 1: To be completed in duplicate by Applicant. APPLICANT MUST SUBMIT BOTH COPIES TO COUNTY DIRECTOR OF REAL PROPERTY TAX SERVICES. (In Nassau and Tompkins Counties, submit to Chief Assessing Officer). NOTE: To be used only prior to expiration of warrant for collection. For wholly exempt parcel, attach statement signed by assessor or majority of board of assessors substantiating that assessor(s) have obtained proof that parcel should have been granted tax exempt status on tax roll.

WAYNE & MICHELLE DRAKE

1a. Name of Owner

4227 DEANS POND RD

MARATHON, NY 13803

1b. Mailing Address

143.67-2-14

Day(607) 849-3855

Evening ()

2. Telephone Number

39 LAKE AVE

BINGHAMTON, NY

3. Parcel Location (if different than 1b.)

4. Description of real property as shown on tax roll or tax bill (Include tax map designation)

5. Account No.

6. Amount of taxes currently billed \$2,208.02

7. I hereby request a correction of tax levied by CITY OF BINGHAMTON

(county/city/school district; town in Westchester County; non-assessing unit village)

for the following reasons (use additional sheets if necessary): GARBAGE VIOLATION ARREARS PLACED ON

PROPERTY - THE VIOLATION WAS WAIVED BY DPW

1-8-14

Date

Pauline Amrose

Signature of Applicant

PART II: For use by COUNTY DIRECTOR: Attach written report (including documentation of error in essential fact) and recommendation. Indicate type of error and paragraph of subdivision 2, 3 or 7 of Section 550 under which error falls.

Date application received: 1-16-14

Period of warrant for collection of taxes: 1-1-14

Last day for collection of taxes without interest: _____

Recommendation:



Approve application*



Deny Application

1-17-14

Date

Sharon M. Pappalardo

Signature of County Director



If box is checked, this copy is for assessor and board of assessment review of city/town/village of _____ which are to consider attached report and recommendation as equivalent to petition filed pursuant to section 553.

PART III: For use by TAX LEVYING BODY or OFFICIAL DESIGNATED BY RESOLUTION _____:
(Insert Number or Date)

APPLICATION APPROVED

Amount of taxes currently billed: \$ _____

Notice of approval mailed to applicant on (enter date): _____

Corrected tax: \$ _____

Order transmitted to collecting officer on (enter date): _____

APPLICATION DENIED

Reason: _____

Seal of Office

Date

Signature of Chief Executive Officer
or Official Designated by Resolution

01/24/2014 15:31
papenrose

City of Binghamton
GENERAL BILLING INVOICE INQUIRY

PG 1
gbinvinq

Year/per	2011 12 DEC	Total Invoice	.00
Customer	506408 GALECKI, MIREK & ANETKA		
AR code	GB GARBG VIOL	Discount pct	.00
Invoice	2318	Department	
Inv date	12/07/2011	Parcel	143.67-2-14
Cust. PO		Contract	

Ln	Desc	Billed	Adjusted	Paid	Due
1	XGRBGV	20.00	-20.00	.00	.00
	Totals	20.00	-20.00	.00	.00

** END OF REPORT - Generated by Pauline A Penrose **



NEW YORK STATE DEPARTMENT OF TAXATION AND FINANCE
OFFICE OF REAL PROPERTY TAX SERVICES

RP-554 (9/04)

APPLICATION FOR CORRECTED TAX ROLL
FOR THE YEAR 20 14

Part 1: To be completed in duplicate by Applicant. APPLICANT MUST SUBMIT BOTH COPIES TO COUNTY DIRECTOR OF REAL PROPERTY TAX SERVICES. (In Nassau and Tompkins Counties, submit to Chief Assessing Officer). NOTE: To be used only prior to expiration of warrant for collection. For wholly exempt parcel, attach statement signed by assessor or majority of board of assessors substantiating that assessor(s) have obtained proof that parcel should have been granted tax exempt status on tax roll.

JOSEPH & PEGGIE GEHL

1a. Name of Owner

107 BORNT HILL ROAD

ENDICOTT, NY 13760

1b. Mailing Address

160.59-4-26

Day 607 754-3486

Evening ()

2. Telephone Number

2 LUCY ST

BINGHAMTON, NY

3. Parcel Location (if different than 1b.)

4. Description of real property as shown on tax roll or tax bill (Include tax map designation)

5. Account No.

6. Amount of taxes currently billed \$1,691.93

7. I hereby request a correction of tax levied by CITY OF BINGHAMTON

(county/city/school district; town in Westchester County; non-assessing unit village)

for the following reasons (use additional sheets if necessary): GARBAGE VIOLATION ARREARS PLACED ON

PROPERTY - THE VIOLATION WAS WAIVED BY DPW

1/8/14
Date

Pauline Amore
Signature of Applicant

PART II: For use by COUNTY DIRECTOR: Attach written report (including documentation of error in essential fact) and recommendation. Indicate type of error and paragraph of subdivision 2, 3 or 7 of Section 550 under which error falls.

Date application received: 1-16-14

Period of warrant for collection of taxes: 1-1-14

Last day for collection of taxes without interest: _____

Recommendation: ☒ Approve application* ☐ Deny Application

1-17-14
Date

Steven M. P. [Signature]
Signature of County Director

*☐ If box is checked, this copy is for assessor and board of assessment review of city/town/village of _____ which are to consider attached report and recommendation as equivalent to petition filed pursuant to section 553.

PART III: For use by TAX LEVYING BODY or OFFICIAL DESIGNATED BY RESOLUTION _____:
(Insert Number or Date)

____ APPLICATION APPROVED

Amount of taxes currently billed: \$ _____

Notice of approval mailed to applicant on (enter date): _____
Order transmitted to collecting officer on (enter date): _____

Corrected tax: \$ _____

____ APPLICATION DENIED Reason: _____

Seal of Office

Date

Signature of Chief Executive Officer
or Official Designated by Resolution

01/24/2014 15:31
papenrose

City of Binghamton
GENERAL BILLING INVOICE INQUIRY

PG 1
gbinvinq

Year/per	2011 11	NOV	Total Invoice	.00
Customer	507130	GEHL, JOSEPH E & PEGGIE A		
AR code	GB	GARBG VIOL	Discount pct	.00
Invoice	2267		Department	
Inv date	11/21/2011		Parcel	160.59-4-26
Cust. PO			Contract	

Ln	Desc	Billed	Adjusted	Paid	Due
1	XGRBGV	50.00	-50.00	.00	.00
	Totals	50.00	-50.00	.00	.00

** END OF REPORT - Generated by Pauline A Penrose **

NEW YORK STATE DEPARTMENT OF TAXATION AND FINANCE
OFFICE OF REAL PROPERTY TAX SERVICESAPPLICATION FOR CORRECTED TAX ROLL
FOR THE YEAR 20 14

Part 1: To be completed in duplicate by Applicant. APPLICANT MUST SUBMIT BOTH COPIES TO COUNTY DIRECTOR OF REAL PROPERTY TAX SERVICES. (In Nassau and Tompkins Counties, submit to Chief Assessing Officer). NOTE: To be used only prior to expiration of warrant for collection. For wholly exempt parcel, attach statement signed by assessor or majority of board of assessors substantiating that assessor(s) have obtained proof that parcel should have been granted tax exempt status on tax roll.

ZAN C HEATH
1a. Name of Owner
PO BOX 2686
BINGHAMTON NY 13902
1b. Mailing Address
176.41-1-41

Day 607 427-7524 Evening ()
2. Telephone Number
199 S. WASHINGTON
BINGHAMTON, NY
3. Parcel Location (if different than 1b.)

4. Description of real property as shown on tax roll or tax bill (Include tax map designation)
5. Account No. 6. Amount of taxes currently billed \$928.08
7. I hereby request a correction of tax levied by CITY OF BINGHAMTON
(county/city/school district; town in Westchester County; non-assessing unit village)
for the following reasons (use additional sheets if necessary): GARBAGE VIOLATION ARREARS PLACED ON
PROPERTY - THE VIOLATION WAS WAIVED BY DPW

1/8/2014
Date

Pauline Kenior
Signature of Applicant

PART II: For use by COUNTY DIRECTOR: Attach written report (including documentation of error in essential fact) and recommendation. Indicate type of error and paragraph of subdivision 2, 3 or 7 of Section 550 under which error falls.

Date application received: 1-16-14 Period of warrant for collection of taxes: 1-1-14
Last day for collection of taxes without interest: _____

Recommendation: ☒ Approve application* ☐ Deny Application

1-17-14
Date

Sharon M. T. [Signature]
Signature of County Director

*☐ If box is checked, this copy is for assessor and board of assessment review of city/town/village of _____
which are to consider attached report and recommendation as equivalent to petition filed pursuant to section 553.

PART III: For use by TAX LEVYING BODY or OFFICIAL DESIGNATED BY RESOLUTION _____:
(Insert Number or Date)

APPLICATION APPROVED Amount of taxes currently billed: \$ _____
Notice of approval mailed to applicant on (enter date): _____ Corrected tax: \$ _____
Order transmitted to collecting officer on (enter date): _____
APPLICATION DENIED Reason: _____

Seal of Office

_____ Date

Signature of Chief Executive Officer
or Official Designated by Resolution

01/24/2014 15:32
papenrose

City of Binghamton
GENERAL BILLING INVOICE INQUIRY

PG 1
gbinvinq

Year/per	2013 6 JUN	Total Invoice	.00
Customer	511353 HEATH, ZAN C		
AR code	GB GARBG VIOL	Discount pct	.00
Invoice	6507	Department	
Inv date	06/26/2013	Parcel	176.41-1-41
Cust. PO		Contract	

Ln	Desc	Billed	Adjusted	Paid	Due
1	XGREGV	25.00	-25.00	.00	.00
	Totals	25.00	-25.00	.00	.00

** END OF REPORT - Generated by Pauline A Penrose **



Legislative Branch

RL Number:

14-14

Date Submitted:

1/29/14

City Clerk, City Hall, Binghamton, NY 13901 607-772-7005

REQUEST FOR LEGISLATION

Requests for Legislation (RLs) may be submitted to the City Clerk's Office for consideration at City Council Work Sessions. RLs generated from within City Hall departments must be submitted to the Mayor, Comptroller and Corporation Counsel for review before submission. RLs generated by citizens may be submitted directly to the City Clerk's Office.

Applicant Information

Request submitted by: Philip T. Krey, P.E. PTK

Title/Department: City Engineer, Engineering Dept.

Contact Information: ptkrey@cityofbinghamton.com or 772-7007

RL Information

Proposed Title: City of Binghamton to Enter Into an Agreement with the NYSDOT for

Design Work for the East Clinton Street Bridge Rehabilitation Project

Suggested Content: The work involves the rehabilitation of the East Clinton St. Bridge. The

estimated cost for the Design work is \$80,000, which will be 80% reimbursed with Federal funds and

15% with Marchiselli funds. Funding for this project will be from budget line

(2014 budget)

Additional Information

Does this RL concern grant funding? Yes ☒ No ☐

If 'Yes', is the required RL Grant Worksheet attached? Yes ☐ No ☒

Is additional information related to the RL attached? Yes ☒ No ☐

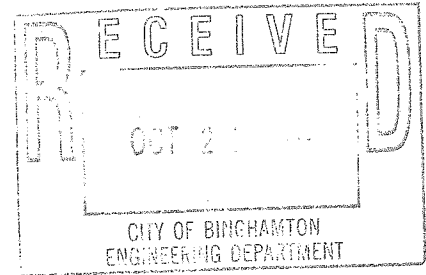
Is RL related to previously adopted legislation? Yes ☐ No ☒

If 'Yes', please provide Permanent Ordinance/Resolution/Local Law number(s):

OFFICE USE ONLY	
Mayor:	<u>[Signature]</u>
Comptroller:	<u>[Signature]</u>
Corporation Counsel:	<u>[Signature]</u>
Finance <input type="checkbox"/>	Planning <input type="checkbox"/>
MPA <input type="checkbox"/>	PW/Parks <input checked="" type="checkbox"/>
Employees <input type="checkbox"/>	Rules/Special Studies <input type="checkbox"/>



STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
REGION NINE
44 HAWLEY STREET
BINGHAMTON, NEW YORK 13901-3200
WWW.DOT.NY.GOV



JOHN R. WILLIAMS, P.E.
REGIONAL DIRECTOR

JOAN McDONALD
COMMISSIONER

October 22, 2013

Mr. Philip Krey, P.E., City Engineer
City of Binghamton
38 Hawley Street
Binghamton, New York 13901

Dear Mr. Krey:

**RE: PIN 975385, BIN 2226120, D034256
EAST CLINTON STREET BRIDGE OVER CHENANGO RIVER
CITY OF BINGHAMTON, BROOME COUNTY**

Enclosed for processing are five copies of Master Federal-Aid Local Project Agreement (D034256) to perform the Preliminary Engineering work. The work involves the rehabilitation of the East Clinton Street Bridge over the Chenango River in the City of Binghamton, Broome County. This is a Locally Administered Project.

All five copies must have original signatures and all five copies must be notarized. In addition, five certified copies of the necessary Resolution must accompany the Agreements (a sample resolution is included in this agreement). Please return all five copies to our Regional Office for further processing. A completed copy will be returned to you once the agreement has been fully executed.

The estimated cost for the Preliminary Engineering work is \$80,000. The City will be reimbursed 80% of \$80,000, or \$64,000, with Federal funds. Please refer to the footnote on page 3 of Schedule A regarding State Marchiselli reimbursement. Therefore, the necessary City Resolution must authorize \$80,000 for this phase of the project. Work performed on or after October 16, 2013 will be eligible for reimbursement.



Legislative Branch

RL Number:
14-15
Date Submitted:
1/29/14

City Clerk, City Hall, Binghamton, NY 13901 607-772-7005

REQUEST FOR LEGISLATION

Requests for Legislation (RLs) may be submitted to the City Clerk's Office for consideration at City Council Work Sessions. RLs generated from within City Hall departments must be submitted to the Mayor, Comptroller and Corporation Counsel for review before submission. RLs generated by citizens may be submitted directly to the City Clerk's Office.

Applicant Information

Request submitted by: Philip T. Krey, P.E. PK
Title/Department: City Engineer, Engineering Dept.
Contact Information: ptkrey@cityofbinghamton.com or 772-7007

RL Information




Proposed Title: City of Binghamton to Enter Into an Agreement with the NYSDOT for
Design Work for the Front Street Pavement Restoration Project

Suggested Content: The work involves the resurfacing of Front St. from Main St. intersection to 150
feet south of Clinton St. intersection in the City. The estimated cost for the Preliminary Engineering work
is \$15,000 which will be reimbursed 80% with Federal funds and 15% with Marchiselli funds. The City
will be designing in-house.

Additional Information

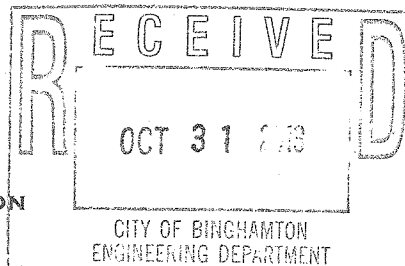
Does this RL concern grant funding? Yes ☒ No ☐
If 'Yes', is the required RL Grant Worksheet attached? Yes ☐ No ☒
Is additional information related to the RL attached? Yes ☒ No ☐
Is RL related to previously adopted legislation? Yes ☐ No ☒

If 'Yes', please provide Permanent Ordinance/Resolution/Local Law number(s): _____

OFFICE USE ONLY					
Mayor:					
Comptroller:					
Corporation Counsel:					
Finance <input type="checkbox"/>	Planning <input type="checkbox"/>	MPA <input type="checkbox"/>	PW/Parks <input checked="" type="checkbox"/>	Employees <input type="checkbox"/>	Rules/Special Studies <input type="checkbox"/>



STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
REGION NINE
44 HAWLEY STREET
BINGHAMTON, NEW YORK 13901-3200
WWW.DOT.NY.GOV



JOHN R. WILLIAMS, P.E.
REGIONAL DIRECTOR

JOAN McDONALD
COMMISSIONER

October 23, 2013

Mr. Philip Krey, P.E., City Engineer
City of Binghamton
38 Hawley Street
Binghamton, New York 13901

Dear Mr. Krey:

**RE: PIN 975386, D034257
FRONT STREET PAVEMENT RESTORATION
CITY OF BINGHAMTON, BROOME COUNTY**

Enclosed for processing are five copies of Master Federal-Aid Local Project Agreement (D034257) to perform the Preliminary Engineering work. The work involves the resurfacing of Front Street from the Main Street intersection to 150 feet south of the Clinton Street intersection in the City of Binghamton, Broome County. This is a Locally Administered Project.

All five copies must have original signatures and all five copies must be notarized. In addition, five certified copies of the necessary Resolution must accompany the Agreements (a sample resolution is included in this agreement). Please return all five copies to our Regional Office for further processing. A completed copy will be returned to you once the agreement has been fully executed.

The estimated cost for the Preliminary Engineering work is \$15,000. The City will be reimbursed 80% of \$15,000, or \$12,000, with Federal funds. Please refer to the footnote on page 3 of Schedule A regarding State Marchiselli reimbursement. Therefore, the necessary City Resolution must authorize \$15,000 for this phase of the project. Work performed on or after October 16, 2013 will be eligible for reimbursement.



Legislative Branch

RL Number:

14-16

Date Submitted:

1/31/14

City Clerk, City Hall, Binghamton, NY 13901 607-772-7005

REQUEST FOR LEGISLATION

Requests for Legislation (RLs) may be submitted to the City Clerk's Office for consideration at City Council Work Sessions. RLs generated from within City Hall departments must be submitted to the Mayor, Comptroller and Corporation Counsel for review before submission. RLs generated by citizens may be submitted directly to the City Clerk's Office.

Applicant Information

Request submitted by: Council President Teri Renna

Title/Department: Council President/Councilwoman, 3rd District

Contact Information: (607) 772-7165

RL Information

Proposed Title: An Ordinance amending Section 400-24 of the Code of the City of Binghamton, regarding the maintenance of the Traffic Code

Suggested Content: See attached.

Additional Information

Does this RL concern grant funding? Yes ☐ No ☒

If 'Yes', is the required RL Grant Worksheet attached? Yes ☐ No ☒

Is additional information related to the RL attached? Yes ☒ No ☐

Is RL related to previously adopted legislation? Yes ☐ No ☒

If 'Yes', please provide Permanent Ordinance/Resolution/Local Law number(s):

OFFICE USE ONLY

Mayor: _____

Comptroller: _____

Corporation Counsel: _____

Finance ☐ Planning ☐ MPA ☒ PW/Parks ☐ Employees ☐ Rules/Special Studies ☐

§ 400-24. Effective date of orders, rules and regulations. [Amended __-__-2014 by Ord. No. 14-__]
Orders, rules and regulations adopted by the Traffic Board shall become effective as soon as the same are filed with the City Court and City Clerk. It shall be the duty of the City Clerk to maintain the Traffic Code, and to amend any portion of the Traffic Code as may be necessary upon receipt of any order, rule or regulation adopted by the Traffic Board.

TRAFFIC BOARD MEETING #989
December 19, 2013

The meeting was called to order by K. Seeley at 10:05 AM with the following members present: Luke Day, DPW; Phil Krey, Engineering; Bill Berg, Councilman; W. Yeager, Asst Chief of Police

Also attending: D. Correll, Sgt. Retired BPD; W. Lescault, Traffic; Pat Torrico, DPW; C. Paddick, BMTS;
N. Dutta, BMTS

Approval of the minutes of Traffic Board Meeting #988 held on November 21, 2013

K. Seeley made a motion to approve the minutes, pending changes. B. Berg seconded the motion. Unanimously approved.

OLD BUSINESS

Traffic Signal Project

P. Torrico reported that DPW added a pedestrian crossing sign at Isbell and another one at Collier. The other signals have since been restored to their original light mechanisms. There will be a new controller installed at Conklin and Telegraph. Also, a new pole will be installed soon at Leroy and Chestnut and there will be two lights at that intersection.

No motion.

Collier Street One-Way

A curb cut will be installed on the Southeast side of Court and Collier. K. Seeley will contact the Grand Royale Hotel to set up a meeting to discuss this item further to see if it is really warranted to change the direction of the street.

No motion.

Left turn at Penn Ave and Vestal Ave

N. Dutta reported that it would be complicated to have a left turn light at this intersection because it will affect the other timings. Dutta said the data shows that it really isn't warranted. The loops are currently not working and need to be replaced. L. Day will schedule a time to have the loops replaced which should help the problem.

No motion.

Handicapped Parking on Court St and Hawley St

P. Krey reported that changes cannot be made until Spring 2014. He will set up a meeting with the Southern Tier Independence Center before Spring 2014.

No motion.

Light at Main St/Front St.

This issue will be addressed in February 2014.

No motion.

Speed Sign Placement

L. Day reported that the signs have not been ordered yet. The placement of the signs will be determined in conjunction with the Safe Routes to Schools and other projects. L. Day recommends a steering committee for this issue to ensure the signs are placed properly and with the correct funding.

No motion.

No Parking – Hotchkiss St

Traffic reported that the house on the left side of the street has no driveway so if there a No Parking sign is installed, they won't have anywhere to park. Also, they cannot park in front of their house because there is a fire hydrant. Corporation Council suggests that nothing be done at this time or make the change for the safety reasons and the end of the street should be left for a turn around only.

Insert: 25 ft No Parking zone from the west end of the dead end 25 ft east end.

L. Day made a motion. B. Berg seconded the motion. Unanimously approved

No Parking - Park St/Harrison St

D. Correll reported that Traffic looked into this matter and could not find any issues. Councilman Mihalko would like the No Parking Sign 10 feet further from the corner of Park/Harrison. K. Seeley will give a copy of the correspondence to Traffic.

No motion.

Signage at Clinton St/Glenwood Ave

D. Correll reported that the sign is very visible and placed properly. K. Seeley will let the citizen know of the findings.

No motion.

NEW BUSINESSAlternate Side Parking Exemption – Livingston St.

D. Correll recommended that the bus traffic would be an issue and the exemption is not justified.

No motion.

Alternate Side Parking Exemption – Crestmont Rd/Schubert St.

Resident is concerned that during winter storms, motorists are going to slide down the hill and hit the parked cars. D. Correll recommended that an exemption is not justified.

No motion.

No Parking - Charles Street

Councilman Motsavage requested that the No Parking zone be on the opposite side of the houses or have parking on both sides of the street. Traffic will look into this and report back.

No motion.

Alternate Side Parking Exemption - McDonald Avenue

D. Correll received a request from Henora Buchel stating that when cars park near the flood walls people cannot open their car doors. Residents would like the street to be exempt from Alternate Side Parking.

K. Seeley made a motion to exempt McDonald Avenue from Alternate Side Parking. W. Yeager seconded the motion. Unanimously approved

L. Day made a motion to adjourn. B. Berg seconded the motion. Unanimously approved.

Mayor Richard C. David
Chairman - Traffic Board

ked

AMENDED LEASE AGREEMENT

THIS LEASE AGREEMENT, dated as of January __, 2014, by and between CITY OF BINGHAMTON, having offices at City Hall, Government Plaza, Binghamton, New York 13901 ("City"), and UNITED WAY OF BROOME COUNTY, INC., a not-for-profit corporation, whose mailing address is P.O. Box 550, Binghamton, New York 13902, street address, 101 Jensen Road, Vestal, NY 13850 ("United Way").

WHEREAS, the City is the owner of certain real property located at 108 Liberty Street, Binghamton, NY 13901, known as the Lee Barta Community Center, (the "Property") Tax Map No. 144.75-3-16; and

WHEREAS, as of March 1, 2013, the City leased the first floor of the Property to the United Way for United Way's Healthy Lifestyles Coalition; and

WHEREAS, the March 1, 2013, Lease Agreement provides that the City may continue to use the basement for Fresh Cycles or any other City initiative; and

WHEREAS, the parties wish to amend the March 1, 2013, Lease Agreement to allow the United Way to operate the Fresh Cycles program and to lease the basement to the United Way for this purpose.

WHEREAS, the City Council has authorized this amended Lease Agreement by Resolution _____, 2014.

WHEREAS, the United Way, by its Board of Directors, has authorized this amended Lease Agreement.

NOW THEREFORE, in consideration of the mutual covenants herein set forth, the parties agree as follows:

1. Lease of a Portion of the Property and Term. The City leases to United Way and United Way leases from the first floor and the basement of the Property (the "Leased Premises"). The United Way accepts the Property and the Leased Premises in its "AS IS" condition. The term of the lease is from the date hereof through April 30, 2015, December 31, 2015.

2. Use of the Property and the Leased Premises. The United Way will use the Leased Premises exclusively for office space, programming, and community meetings sponsored under United Way's Healthy Lifestyles Coalition and the Fresh Cycles program. United Way will not charge a fee to other groups for use of the Leased Premises. United Way will not use the Premises for any other purpose without the written consent of City, which consent may be denied for any or no reason. The City may use a portion of the first floor for an after school reading program or any other City initiative, e.g. a literacy program, and community meetings upon reasonable notice to the United Way and based on availability. The United Way will maintain a calendar of events

and available dates for United Way's Healthy Lifestyles Coalition, Fresh Cycles, and City programs.

3. United Way's Consideration, Duties and Responsibilities. As consideration for this Lease Agreement, the United Way will:

(a) Provide custodial service, garbage removal, and routine maintenance, including pest control at the Property;

(b) Will maintain the Leased Premises in reasonably good condition, normal wear and tear excepted, including custodial service, garbage removal, and routine maintenance including pest control. Insofar as the property is owned by the City of Binghamton, some improvements or services may require the payment of prevailing wage by the United Way. The United Way should consult with the City's Purchasing Agent regarding proper procurement policies.

(c) If United Way fails or refuses to maintain the Leased Premises, then the City will give United Way written notice specifically identifying the unacceptable condition and require United Way to correct such unacceptable condition within a reasonable time as demanded in the notice. The failure or refusal to correct the unacceptable condition within the time set forth herein will allow the City to declare a default under this Lease Agreement.

(d) Will pay the cost for utilities at the Property, above the amount currently budgeted by the City of Binghamton [\$790 budget line A1210.54201 (Gas/Heat) and \$2,800 budget line A1210.54202 (Electricity)].

(e) The City will install a water meter, at the City's expense, for the Property and will initially invoice the United Way for seventy-five percent (75%) of the cost of water/sewer charges. The United Way will pay the City its 75% share of the water/sewer charges within fifteen (15) days of the date the City mails a copy of the invoice to the United Way. Based on the actual use of the Property by the City, the parties may renegotiate the proportionate share of the water/sewer charges at any time.

(f) Will provide furniture, fixtures, and equipment as it deems necessary and at its sole cost and expense, providing that such furniture, fixtures and equipment shall remain the property of United Way and will be removed from the Leased Premises at the end of the lease or in the event of early termination of this Lease Agreement.

(g) Insofar as the Premises is owned by the City and United Way has agreed to use the Leased Premises for a public purpose, no real property taxes will be due and owing. If United Way takes any action to make the Property taxable, then United Way will be responsible for such real property taxes and assessments; and

(h) Will provide liability insurance coverage in the amount of not less than one million dollars (\$1,000,000) and replacement value property damage insurance naming the City of Binghamton

as an additional insured on a primary non-contributory basis. The United Way further hereby agrees to indemnify and hold the City harmless against any and all liability, damages or expenses, and reasonable attorney's fees, regarding its use of the Leased Premises or the Property.

4. The City's Duties and Responsibilities. As consideration for this Lease Agreement, the City will:

(a) Provided United Way is not in default of this Lease Agreement, United Way will have quiet enjoyment of the Leased Premises;

(b) Will provide lawn care, snow and ice removal, and monitoring of existing security system;

(c) Insofar as the United Way is accepting the Fresh Cycles program from the City, all abandoned or donated bikes, tools, equipment, and the funds for parts (\$52.01) will be transferred to the United Way (if the United Way should discontinue the program, then all bikes, etc... will be returned to the City); and

(d) Will be responsible for the cost of all non-routine maintenance, *i.e.*, structural repairs to the foundation and roof, replacement of heating, plumbing and electrical systems. Notwithstanding the foregoing, if structural repairs are required, rather than performing the structural repairs, the City may cancel this Lease Agreement upon ten (10) days written notice to the United Way.

4. Cancellation, Default and Termination.

(a) Either Party may cancel this Lease Agreement for any reason upon not less than thirty (30) days written notice to the other party with the term expiring on the last day of the next succeeding month.

(b) The City may cancel this Lease Agreement as provided in paragraph 3(c) above.

(c) In the event of any default under the terms and conditions of this Lease Agreement, and after an opportunity to cure or correct the default as provided above, the City may terminate this Lease Agreement by giving United Way written notice and fifteen (15) days to vacate the Leased Premises. If United Way fails or refuses to vacate the Premises in a timely manner, then City may commence an action in Binghamton City Court to evict United Way from the Leased Premises. In addition to any decision the Court may make regarding United Way's occupancy of the Leased Premises, the Court may award City a money judgment for the fair market value of the Leased Premises from the date of default until the date United Way vacates the Leased Premises, together with all costs and expenses of the action, including reasonable attorney's fees.

(d) Upon termination of this Lease Agreement, all permanent improvements to the Leased Premises will become the property of City, free and clear of any charges or liens.

5. Miscellaneous.

(a) All notices required hereunder to be served by either of the parties hereto shall be in writing and shall be either personally delivered to or mailed by registered or certified mail to the parties at the above addresses. Any notice to the City will be sent to the attention of the Mayor and Corporation Counsel, City Hall, 38 Hawley Street, Binghamton, New York 13901, and any notice to United Way will be sent to the attention of Director, United Way, P.O. Box 550, Binghamton, New York 13902.

(b) This Lease Agreement shall be binding upon the parties hereto, but shall not be assignable in whole or in part by United Way without prior consent of the City, which may be withheld for any or no reason.

IN WITNESS WHEREOF, all parties have caused this instrument to be executed as of the day and year first above written.

UNITED WAY OF BROOME COUNTY

WITNESS

By: _____
ALAN HERTEL, EXECUTIVE DIRECTOR

CITY OF BINGHAMTON

WITNESS

By: _____
RICHARD C. DAVID, MAYOR